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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHAWN RANDALL THOMAS,

Plaintiff,

-against-

CITY OF NEW YORK, et al.,

Defendants.

24-CV-2534 (VEC)

ORDER OF SERVICE

VALERIE CAPRONI, United States District Judge:

Plaintiff, who is appearing *pro se*, brings this action under 42 U.S.C. § 1983, alleging that Defendants violated his rights. By order dated May 20, 2024, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees. The Court directs service on the defendants.

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on Defendants the City of New York; Eric Leroy Adams, Mayor of the City of New York; Keechant Sewell, former Commissioner of the New

¹Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue.

York City Police Department (“NYPD”); Sergeant Dyshawn M. Pitt; Police Officer Michael J. Baroz; Police Officer Tenzin Rigsang; Police Officer Kevin Barcenas; Police Officer Nicholas V. Azzolino; Police Officer Andy Herrera; and Sergeant Michael P. Dunigan through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for each of these defendants. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendants.

If the complaint is not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION


The Clerk of Court is further instructed to issue a summons for each defendant, complete a USM-285 form with the address for each defendant, and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Clerk of Court is directed to mail a copy of this order to Plaintiff, together with an information package.

Plaintiff may receive court documents by email by completing the attached form, Consent to Electronic Service.²

SO ORDERED.

Dated: September 10, 2024
New York, New York

A handwritten signature in cursive script, appearing to read "Valerie Caproni", is written above a horizontal line.

VALERIE CAPRONI
United States District Judge

² If Plaintiff consents to receive documents by email, Plaintiff will no longer receive court documents by regular mail.

SERVICE ADDRESS FOR EACH DEFENDANT

1. City of New York
New York City Law Department
100 Church Street
New York, NY 10007
2. Eric Leroy Adams
Mayor of the City of New York
New York City Law Department
100 Church Street
New York, NY 10007
3. Keechant Sewell
Former Commissioner of the New York City Police Department
19 Jasper Street
Valley Stream, NY 11580
4. Sergeant Dyshawn M. Pitt
Shield # 02319
NYPD 1st Precinct
16 Ericsson Place
New York, NY 10013
5. Officer Michael J. Baroz
Shield # 00265
NYPD 1st Precinct
16 Ericsson Place
New York, NY 10013
6. Officer Tenzin Rigsang
Shield # 25378
Queens Warrant Squad
80-45 Winchester Blvd.
Queens Village, NY 11427
7. Officer Kevin Barcenas
Shield # 23572
NYPD 1st Precinct
16 Ericsson Place
New York, NY 10013
8. Officer Nicholas V. Azzolino
Shield #20550
NYPD 1st Precinct
16 Ericsson Place
New York, NY 10013

9. Officer Andy Herrera
Shield # 27099
NYPD 6th Precinct
233 West 10th Street
New York, NY 10014
10. Sergeant Michael P. Dunigan
Shield # 02985
NYPD 1st Precinct
16 Ericsson Place
New York, NY 10013

CONSENT TO ELECTRONIC SERVICE

I hereby consent to receive electronic service of notices and documents in my case(s) listed below. I affirm that:

1. I have regular access to my e-mail account and to the internet and will check regularly for Notices of Electronic Filing;
2. I have established a PACER account;
3. I understand that electronic service is service under Rule 5 of the Federal Rules of Civil Procedure and Rule 5.2 of the Local Civil Rules, and that I will no longer receive paper copies of case filings, including motions, decisions, orders, and other documents;
4. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address, or if I wish to cancel this consent to electronic service;
5. I understand that I must regularly review the docket sheet of my case so that I do not miss a filing; and
6. I understand that this consent applies only to the cases listed below and that if I file additional cases in which I would like to receive electronic service of notices of documents, I must file consent forms for those cases.

Civil case(s) filed in the Southern District of New York:

Please list all your pending and terminated cases to which you would like this consent to apply. For each case, include the case name and docket number (for example, John Doe v. New City, 10-CV-01234).

Name (Last, First, MI)

Address

City

State

Zip Code

Telephone Number

E-mail Address

Date

Signature